

**RESCISSION OF PREVIOUS
NONPUBLICATION REQUEST**

(35 U.S.C. 122(b)(2)(B)(ii))

AND, IF APPLICABLE,

NOTICE OF FOREIGN FILING

(35 U.S.C. 122(b)(2)(B)(iii))

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Fax: (703) 305-8568

Application Number

10/799,212

Filing Date

March 12, 2004

First Named Inventor

David A. Fisher

Title

Power Transfer Apparatus for
Concurrently Transmitting Data and
Power Over Data Wires

Atty Docket Number

01-210-H

Group Art Unit

To be assigned

Examiner

To be assigned

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i). I hereby **rescind** the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

Apr. 15, 2004

Date

Paul W. Churilla

Signature

360.379.6514

Telephone Number

Paul W. Churilla

Typed or printed name

This request must be signed in compliance with 37 CFR 1.133(b).

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile ((703) 305-8568) transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)

Paul W. Churilla

Signature

Paul W. Churilla

Date

Apr. 15, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 01-210-H)

In re Application of:)	
)	
David A. Fischer, et al.)	
)	Group Art Unit: To be assigned
Serial No.: 10/799,212)	Previous Art Unit: 2636
)	
Filed: March 12, 2004)	Examiner: To be assigned
)	Prior Examiner: Donnie L. Crosland
For: Power Transfer Apparatus for)	
Concurrently Transmitting Data and)	
Power over Data Wires)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER REGARDING RESCISSION OF NON-PUBLICATION REQUEST

Dear Sir:

The above-referenced application was filed on March 12, 2004. A request and certification under 35 U.S.C. § 122(b)(2)(B)(i) was filed along with the application. Applicants now submit along with this letter, a request to rescind that non-publication request under 35 U.S.C. § 122(b)(2)(B)(i).

At the time of the filing of the application, Applicants' representatives were unaware that an earlier PCT case had been filed and published that was directed to the subject matter of this application, and the statement to that effect in the non-publication request was incorrect. The earlier PCT application (published as WO 98/54843) was filed by Applicants' previous representatives.


Applicants' current representatives became aware of this earlier published PCT application on March 19, 2004. Upon learning of the published PCT Application, Applicants'

representatives realized that the non-publication request filed with the application was improper. Therefore, Applicants now submit the accompanying rescission of that non-publication request, which is being timely filed after the receipt of the application serial number. Because the filing of the non-publication request was innocent error and was made without any deceptive intent, Applicants request that the Office enter this rescission and publish the application in due course.

Respectfully Submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Date: April 15, 2004

By: 
Paul W. Churilla
Reg. No. 47,495